

**DECISION RECORD
AND
FINDING OF NO SIGNIFICANT IMPACT
EA-NV-030-07-025**

DECISION: It is my decision to implement the Proposed Action, a mechanical fuels treatment project on up to 2,550 acres over a 5-7 year period, in the vicinity of upper Mill Canyon Nevada. Implementation of the proposed action will provide a fuel break between two distinct areas of the Pine Nut Mountains managed by the Bureau of Land Management (BLM). The vegetation treatment will also improve Sage Grouse habitat characteristics. The fuels reduction project is presented in detail in the Proposed Action of the attached Mill Canyon Vegetative Treatment Project Environmental Assessment EA-NV-030-07-025.

FINDING OF NO SIGNIFICANT IMPACT: Based on the analysis of potential environmental impacts contained in the attached environmental assessment, EA-NV-030-07-025, I have determined that impacts are not expected to be significant and an environmental impact statement is not required.

The following critical elements were reviewed by BLM resource specialists and determined to be either not present or not affected by the proposed action: Air Quality, Areas of Critical Environmental Concern, Cultural Resources, Farm Lands, Floodplains, Native American Religious Concerns, Migratory Birds, Threatened or Endangered Species, Wastes, Hazardous or Solid, Wild and Scenic Rivers, Wilderness, Invasive, Nonnative Species, Environmental Justice.

The following issues were analyzed in the environmental assessment: Fire Management, General Vegetation, General Wildlife, Special Status Species, and Soils. Review of the analysis contained in Environmental Assessment EA-NV-030-07-025 indicates the impacts to these resources or issues are not considered significant.

RATIONALE FOR THE DECISION: The proposed action is consistent with provisions found in the (1) Carson City Field Office Consolidated Resource Management Plan (2001), (2) The Carson City Field Office Fire Management Plan (2004) and the (3) Vegetation Treatment on BLM Lands in Thirteen Western States, Final EIS (1991).

Prevention of disastrous wildfire and the associated risks to human health and safety, and public land resources including Sage Grouse habitat is a high priority for the Bureau of Land Management. The BLM emphasizes the use of hazardous fuel reduction techniques as part of the wildfire prevention program. Treatments using prescribed fire and mechanical treatments can be used on to reduce fuel loading and the potential for severe wildfires.

The proposed action responds to the primary purposes identified in the environmental assessment.

1. The proposed action will create a fuel break between two distinct areas of the Pine Nut Mountains in the vicinity of upper Mill Canyon, Nevada. This fuel break will provide fire protection for existing Sage Grouse habitat and other natural resources found on adjacent BLM managed wildlands.

2. The proposed action will improve Sage Grouse habitat characteristics on 2,550 acres of BLM public lands adjacent to one of the few known Sage Grouse Leks in the northern Pine Nut Mountains. Habitat in this proximity to a lek is often used for nesting, brood rearing, migration between summer and winter habitat and other important seasonal uses.

MITIGATION:

The Carson City Field Office (CCFO) will send an inspector to the project site to ensure conformance with BLM standards.

1. Excavation or Discovery of Cultural/Paleontological Resources. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on their behalf, on public or Federal Land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as the proper mitigation measures will be made by the authorized officer after consulting with the holder.

2. Soil Water and Air program Best Management Practices (BMPs) will be implemented to minimize soil erosion and protect water quality. The project will be scheduled during a low-impact period, surface disturbance will be minimized and mitigated and sensitive riparian areas, wetlands and drainages will be avoided.

3. Any treatment done during critical sage grouse activities in spring/early summer, will ensure that sufficient visual and noise screening is in place between the grouse and the activity.

4. All equipment utilized in the project area will be washed and determined to be free of noxious or invasive species prior to entering the project area.

5. All equipment will stay outside of the William's combleaf habitat. (see project map)

MONITORING AND COMPLIANCE: Monitoring would be conducted throughout the project area both during and after project implementation. Monitoring would consist of surveys to:

1. Ensure that the initial fuel treatment objectives are met,
2. Evaluate fuel load recovery,
3. Evaluate habitat characteristics,
4. Identify invasive species for subsequent treatment,
5. Ensure that motorized vehicles do not use the reseeded areas,
6. Assess condition and usage of existing roads in the treatment areas.

ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES

The decision to implement the Proposed Action may be appealed to the Interior Board of Land Appeals by following the guidance and procedures found in the Code of Federal Regulations(43 CFR Part 4; Subparts A, B, and E) and on the attached Form 1842-1.

CONTACT PERSON(S)

For additional information concerning this decision, contact:

Keith Barker
Fire Ecologist
Carson City Field Office
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Carson City, Nevada 89701
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email: kdbarker@blm.gov

/s/ Donald T. Hicks

Donald T. Hicks
Field Office Manager

August 20, 2007

Date

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

INFORMATION ON TAKING APPEALS TO THE BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS

1. This decision is adverse to you,
AND
2. You believe it is incorrect

IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

1. NOTICE OF APPEAL----- Within 30 days, file a *Notice of Appeal* in the office which issued this decision (see 43 CFR Secs. 4.411 and 4.413). You may state your reason for appealing, if you desire.

2. WHERE TO FILE -----
NOTICE OF APPEAL

Bureau of Land Management
5665 Morgan Mill Road
Carson City, NV 89701

SOLICITOR -----
ALSO COPY TO

Regional Solicitor
Pacific Southwest Region
U.S. Department of the Interior
2800 Cottage Way, Suite E2753
Sacramento, CA 95825

3. STATEMENT OF REASONS-----Within 30 days after filing the *Notice of Appeal*, file a complete statement of reasons why you are appealing. This must be filed with the United States Department of the Interior. Office of the Secretary, Board of Land Appeals, 801 N. Quincy St., Suite 300, Arlington, Virginia 22203 (see 43 CFR Sec. 4.412 and 4.413). If you

fully stated your reasons for appealing when filing the *Notice of Appeal*, no additional statement is necessary.

SOLICITOR -----
ALSO COPY TO

Regional Solicitor
Pacific Southwest Region
U.S. Department of the Interior
2800 Cottage Way, Suite E2753
Sacramento, CA 95825

4. ADVERSE PARTIES-----Within 15 days after each document is filed, each adverse party named in the decision and

State in which the

The Regional Solicitor or Field solicitor having jurisdiction over the appeal arose **must** be served with a copy of: of Reasons, and

(a) the Notice of Appeal, (b) the Statement

(c) any other documents filed (see 43 CFR Sec. 4.413). Service will be

made upon the Associate Solicitor, Division of Energy and Resources, Washington D.C.

20240, instead of the Field or Regional Solicitor when appeals are taken from the decisions of the Director (WO-100)

5. PROOF OF SERVICE-----Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of the Secretary, Board of Land Appeals, 801 N. Quincy St., Suite 300, Arlington, Virginia 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (see 43 CFR Sec. 4.401 (c)(2)).

Unless these procedures are followed, your appeal will be subject to dismissal (see 43 CFR Sec. 4.402). Be certain that all communications are identified by serial number of the case being appealed.

NOTE: A document is not filed until it is actually received in the proper office (see 43 CFR Sec. 4.401 (a))